

S/N 09/647,054

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Peter Joseph Cassidy, et al.	Examiner:	Christopher M. Gross
Serial No.:	09/647,054	Group Art Unit:	1639
Filed:	March 24, 1998	Docket No.:	707.025US1
Title:	PEPTIDE TURN MIMETICS		

DECLARATION UNDER 37 C.F.R. §1.132

I, Peter Joseph Cassidy, declare and say as follows:

1. I, Peter Joseph Cassidy, received my bachelor's and doctorate degrees at the University of Queensland, Brisbane, Australia.

2. I am a named co-inventor of the subject matter claimed in the above-identified patent application and have reviewed the summary provided by the attorneys for Mimetica of the interview that was conducted at the USPTO on 13 November 2008 between patent examiner Christopher Gross, supervising examiner Mark Shibuya, Mark Blaskovich of Mimetica Pty Ltd and Geoffrey Cooper and Gary Speier of Schwegmann, Lundberg and Woessner. I hereby make this Declaration in support of the patentability of the claims of the application.

3. I understand that one of the main points of the discussion at the interview was in relation to the fact that the Examiner has rejected claims 113, 119, 120, 121, 124, 126, 134, 135, 137, 138, and 140 on the basis of 35 U.S.C. §102(b) as being anticipated by Ma et al., 1995, Protein Peptide Letters, 2:347-350. I understand that there was extensive discussion of the data that would be required in support of the applicant's position that the Ma disclosure does not anticipate or render obvious the claims of the present application on the basis that following the procedure in Ma does not produce the compound alleged by Ma but rather an isomer of this compound.

CONSIDERED: /Christopher Gross/ (06/21/2009)